

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ROBERT J. MARX,

Plaintiff,

v.

RICHLAND COUNTY,

Defendant.

ORDER ON PLAINTIFF'S DEPOSITION
AND
AMENDED SCHEDULE

15-cv-764-wmc

On November 17, 2017 the court held a recorded telephonic status conference to discuss the parties' disputes regarding discovery. Plaintiff Richard Marx appeared on his own behalf. Defendant Richland County appeared by Daniel Jardine.

Marx reported that he believes that he has been denied benefits for no good reason, that this lawsuit should not be necessary, that Richland County and its attorney are trying to take advantage of him, and that this court has unfairly sided with the defendant against him. I am fairly certain that Marx did not accept the court's assurances that he is being treated fairly in this lawsuit.

Marx was adamant that he would not sit for a deposition this year, insisting that his deposition must wait until January, 2018. When asked if he would actually sit for a deposition in January, Marx gave his word that he would. In light of this, defendant stated that it would accept a rescheduling of the calendar in this case in order to obtain Marx's deposition. So, the court struck the remainder of the existing schedule and replaced it with the dates set below. Let's be clear: the court did not have to do this, but it is bending over backward to get this lawsuit decided on its merits. If Marx changes his position and declines to be deposed in January, then it is likely that Judge Conley will dismiss this lawsuit on the basis of Marx's refusal to participate in necessary and appropriate discovery.

This is the new schedule:

Disclosure of Expert Witnesses: By leave of court.

Leave will be freely granted as justice requires.

Deadline for Filing Dispositive Motions: March 2, 2018

Discovery Cutoff: July 13, 2018

Final Pretrial Submissions and Disclosures: July 20, 2018

Responses: August 3, 2018

Final Pretrial Conference: August 14, 2018 at 4:00 p.m.

This is an in-person conference with Judge Conley at the federal courthouse.

Jury Selection and Trial: Tuesday, September 4, 2018 at 9:00 a.m.

The parties estimate that this case will take one to two days to try.

Entered this 20th day of November, 2017.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge